

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,
Plaintiff,

v.

JEREMY J. HUMPHRIES,
Defendant.

Case No. 17–CR–40011–JPG–4

ORDER

Before the Court is Defendant Jeremy J. Humphries’s Motion for Compassionate Release. (ECF No. 583).

Humphries has been serving a 235-month sentence since 2018. (Judgment at 1–2, ECF No. 371). He is incarcerated at Federal Correction Institution (“FCI”) Greenville in Illinois. *Inmate Locator*, Bureau of Prisons (last visited May 12, 2021).¹

In March 2021, Humphries moved for a sentence modification under 18 U.S.C. § 3582(c)(1)(A), also called *compassionate release*. (Def.’s Mot. at 1). He contends that serious medical conditions make his **parents** especially vulnerable to the COVID-19 virus. (*Id.* at 1, 3). In brief, Humphries argues that his parents’ increased risk of experiencing serious complications if they contract COVID-19 is an *extraordinary and compelling* reason warranting his release. (*Id.*).

District courts generally “may not modify a term of imprisonment once it has been imposed” 18 U.S.C. § 3582(c). That said, an exception exists for when “extraordinary and compelling reasons warrant such a reduction” *Id.* § 3582(c)(1)(A)(i). The burden of proof rests on the defendant, and the Court has “broad discretion.” *See United States v. Saunders*, 986 F.3d 1076, 1078 (7th Cir. 2021).

¹ Available at <https://www.bop.gov/inmateloc/>.

With that in mind, a sentence modification is inappropriate here. To be sure, the Court is sympathetic to the medical conditions of Humphries's parents. But given the widespread availability of the COVID-19 vaccine, the risk posed to them is greatly reduced. Moreover, even without the virus, inmates routinely face the harsh reality of being unavailable to help their parents through the aging process. Humphries accepted that risk when he conspired to distribute methamphetamine—the pandemic did not change that. Put differently, the mere presence of COVID-19 in society is not an extraordinary and compelling reason warranting compassionate release.

For those reasons, the Court **DENIES** Defendant Jeremy J. Humphries's Motion for Compassionate Release.

IT IS SO ORDERED.

Dated: Wednesday, May 12, 2021

S/J. Phil Gilbert
J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE